

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
JUN 25 AM 11:37
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UNITED STATES OF AMERICA,

Plaintiff,

v.

Patricia SIERRA (D1)

Sara SIERRA

AKA: Sarai SIERRA Garcia (D2)

Verenice SIERRA-Garcia (D3)

Defendants.

Magistrate Case No. _____ DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation

The undersigned complainant being duly sworn states:

On or about **June 23, 2008**, within the Southern District of California, defendants **Patricia SIERRA (D1)**, **Sara SIERRA AKA: Sarai SIERRA Garcia (D2)** and **Verenice SIERRA-Garcia (D3)**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Claudia Monica MOYA-Garcia**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **25TH** DAY OF
JUNE, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complaint states that **Claudia Monica MOYA-Garcia** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material, that is impracticable to secure her attendance at the trial thereof by subpoena; and is a material witness in relation to this criminal charge and should be held or admitted to bail as prescribed in Title 18, United States Code, Section 3144.

On June 23, 2008, at approximately 2250 hours, **Patricia SIERRA (D1)** applied for entry into the United States through the Otay Mesa Port of Entry as the driver of a silver 2003 Ford Expedition. Accompanying Defendant were two visible female passengers, **Verenice SIERRA (D3)**, sitting in the front passenger seat, and **Sara SIERRA AKA: Sarai SIERRA Garcia (D2)**, sitting as a rear seat passenger. During primary inspection, D1 stated to the primary Customs and Border Protection (CBP) Officer her purpose for traveling to Mexico was to visit her father. The CBP Officer questioned D1 as to why the vehicle she was driving did not have license plates and D1 replied she had not received them from the dealer. The CBP Officer noticed the dealer plates were well worn and remembered D1 from a previous inspection. The CBP Officer conducted further inspection of the vehicle and noticed that the dash area under the glove compartment on the passenger side had been tampered with paint and some type of glue or caulk. The CBP Officer subsequently escorted the vehicle and its occupants secondary for further inspection.

In secondary, a CBP Officer utilized her service Human/Narcotic Detector Dog to screen the vehicle and the canine alerted to the dash area. CBP Officers conducted further inspection of the vehicle and noticed that the dashboard appeared to be loose. CBP Officers had to remove the plastic trimming on the console that outlines the stereo unit as well as the whole entire steering wheel gauge. Once the plastic trimming was removed, one female was discovered laying head first towards the steering wheel, inside the dashboard. CBP Officers had to break areas of the dashboard to create an opening for the female to exit. The female was determined to be a citizen of Mexico without legal documents to enter the United States and is now identified as: **Claudia Monica MOYA-Garcia (MW)**.

A separate videotaped interview was conducted with MW. MW admitted she is a citizen of Mexico without legal documents to enter the United States. MW stated a neighbor of hers made her smuggling arrangements while in Tijuana, Mexico. MW stated she was going to pay between \$3,500 to \$4,000 U.S. dollars to be smuggled into the United States. MW stated she was traveling to Huntington Park, California to seek employment. MW identified D1, D2 and D3 by describing their clothing and physical appearance. MW stated D1, D2 and D3 were present during the time she was placed in the compartment and were present during the time they were all apprehended at the port of entry.